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RESPONSE TO OFFICE ACTION

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(Schaefer et al.). The rejection is respectfully traversed because the primary reference and the secondary references, taken alone or in combination, are completely silent regarding a support member including "first and second concentric tubes formed of first and second materials, respectively, said first and second materials having substantially different moduli of elasticity and contributing to the vertical section modulus of said stand." as required by independent claim 14.

The newly cited reference Motoda does not supply any teaching that would lead a person of ordinary skill in the art to make the invention of independent Claim 14. The cited support member (36) of Motoda is a neck portion connecting a control box 35 to the lower end of a carrier 22 that is a distal link in an elongated parallelogram linkage. Please see Motoda at column 3, lines 29-31 and 50-53, and fig. 1. The Office Action refers to support member (36) as having "an internal structure," however the nature of the internal structure is never described in the reference. One of ordinary skill in the art might conclude that support member (36) is a hollow tube that possibly carries electrical lines from control box (35), however beyond this the reference offers no description of the internal structure of support member (36). Moreover, support member (36) is a vertical support member that is loaded in tension by a weight (elements 35, 57, and 37) suspended from its lower end, and is not subjected flexural stress. Thus, the unspecified material of member (36) does not experience a bending moment that would make an associated vertical section modulus a parameter of concern for someone skilled in the art. Applicants respectfully contend that the new reference Motoda does not add any weight to the

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rejection, in that simple tubular support members were admittedly well-known at the time of the present invention.

Applicants reiterate that Schaefer et al. fails to disclose or suggest concentrically arranged tubes in a microscope stand support member. Fig. 3 of Schaefer et al. shows an arcuate support member or "C-bend" 5 (see Fig. 1) in cross-section. The C-bend includes an aluminum extruded profile 14 that is non-tubular, and that has a small cross-section allowing it to be rolled and formed into an arc in a cost-efficient manner. Two generally U-shaped fiber-reinforced plastic covers 12 have their free edges coupled to opposite sides of the aluminum extrusion 14 in symmetrical fashion to surround all but the outer edges of aluminum extrusion 14. The aluminum extrusion 14 has a small cross-section so that it can be cost beneficially rolled into an arc; the plastic covers 12 surround the aluminum extrusion for absorbing anticipated loads. Please see Schaefer et al. at column 3, lines 7-20. Thus, Schaefer et al. teaches an inner structure for shape, and an outer structure for strength, neither of which is tubular as claimed. Moreover, there is no suggestion in any of the references of combining a simple tubular member of Motoda with another tubular member in concentric arrangement and wherein the two tubular members have substantially different moduli of elasticity. The claimed invention runs contrary to the goals of Schaefer et al. because replacing the aluminum extrusion and plastic covers of Schaefer et al. with concentric tubes would make it exceedingly difficult to roll an arcuate C-bend.

In view of the foregoing, it is respectfully urged that claim 14, and claims 15-39, 44, and 45 depending therefrom, are patentable over the cited references. Favorable reconsideration of these claims is respectfully requested.

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Claims 40 and 41 are rejected under 35 USC 103(a) as being unpatentable over Tigliev in view of Motoda, in further view of Schaefer et al., and in further view of US 4,690,960 (Yamauchi et al.). The rejection is respectfully traversed for the reasons stated above with respect to independent claim 14, from which claims 40 and 41 depend.

Claim 42 is rejected under 35 USC 103(a) as being unpatentable over Tigliev in view of Motoda, in further view of Schaefer et al., and in further view of US 3,637,233 (Hoppl et al.). Again, the rejection is respectfully traversed for the reasons stated above with respect to independent claim 14, from which claim 42 depends.

Reconsideration of claims 40-42 and withdrawal of the rejections under 35 USC 103 is earnestly sought.

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Conclusion
Applicants respectfully consider the present application to be in a condition for allowance, and thus a Notice of Allowance is earnestly sought. If the Examiner has any questions, or considers an interview with Applicants' attorneys would help to expedite prosecution, the undersigned attorney may be contacted at the number provided below.

Respectfully submitted,

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